

Application No.: 10/014,220

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Docket No.: 514162000120

AMENDMENTS TO THE CLAIMS

This claim set will replace all prior versions, and listing, of the claim in the application:

Claims 1-20 (canceled)

Claim 21 (previously presented) An isolated animal cell and progeny thereof whose genomic DNA comprises at least one copy of a chromosomally integrated transgene comprising (1) a transcriptional start site; (2) a promoter operably linked to the transcriptional start site; and (3) an enhancer operably linked to the promoter, the enhancer comprising the nucleotide sequence of SEQ ID NO:1,

wherein the cell expresses transcripts driven by the promoter, the level of expression being positively correlated with the copy number of the transgene.

Claim 22 (previously presented) The isolated animal cell and progeny thereof of claim 21, wherein the animal cell is selected from the group consisting of pig, rat, cow, rabbit, goat, guinea pig, prairie baboon, squirrel, monkey, chimpanzee, frog, toad, chicken, turkey and sheep cells.

Claim 23 (previously presented) The isolated animal cell and progeny thereof of claim 22, wherein the DNA contains more than 5 copies of the transgene.

Claim 24 (previously presented) The isolated animal cell and progeny thereof of claim 23, wherein the DNA contains more than 15 copies of the transgene.

Claim 25 (previously presented) The isolated animal cell and progeny thereof of claim 24, wherein the promoter drives the transcription of a mRNA encoding a polypeptide, the transcription beginning from the transcriptional start site.

Claim 26 (previously presented) The isolated animal cell and progeny thereof of claim 25, wherein the polypeptide is a growth hormone.

Claim 27 (previously presented) The isolated animal cell and progeny thereof of claim 26, wherein the promoter is a  $\zeta$ -globin promoter.

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Claim 28 (previously presented) The isolated animal cell and progeny thereof of claim 27, wherein the enhancer further comprises SEQ ID NO:2.

Claim 29 (previously presented) The isolated animal cell and progeny thereof of claim 28, wherein the enhancer further comprises SEQ ID NO:3.

Claim 30 (previously presented) The isolated animal cell and progeny thereof of claim 21, wherein the expression of the transgene is independent of its position in the DNA.

Claim 31 (previously presented) The isolated animal cell and progeny thereof of claim 21, wherein the nucleic acid further comprises a transcriptional termination signal.

Claim 32 (previously presented) The isolated animal cell and progeny thereof of claim 21, wherein the promoter is a  $\zeta$ -globin promoter.

Claim 33 (previously presented) The isolated animal cell and progeny thereof of claim 21, wherein the enhancer further comprises SEQ ID NO:2.

Claim 34 (previously presented) The isolated animal cell and progeny thereof of claim 21, wherein the enhancer further comprises SEQ ID NO:3.

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